

APR 13 2010

U.S. DISTRICT COURT
WESTERN DISTRICT OF NC

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

UNITED STATES OF AMERICA,)	CASE NO. DNCW 3:04CR229
Plaintiff,)	(Financial Litigation Unit)
v.)	
)	
THOMAS EDWARD COLLERAN,)	
AKA/THOMAS COUERAN,)	
AKA/EDWARD COLLERA,)	
Defendant,)	
and)	
)	
RUTLAND PLASTIC TECHNOLOGIES, INC.)	
Garnishee.)	
_____)	

CONSENT ORDER OF CONTINUING GARNISHMENT

The parties, the United States of America, the defendant, and the garnishee, agree and stipulate as follows:

1. The defendant is Thomas Edward Colleran, aka/Thoams Coueran, Edward Collera, Social Security Number XXX-XX-2939, whose last known address is: Charlotte, NC 28216.
2. A criminal judgment was entered on October 11, 2005, against the defendant in this action where he was ordered to pay \$75,420.17 for an assessment, fine and/or restitution. The parties agree and stipulate that the total balance due is \$73,328.33 as of May 26, 2009.
3. The garnishee has in its possession, custody or control property of the defendant in the form of wages paid to the defendant.
4. The defendant received service of the application for a writ of continuing garnishment on April 29, 2009, as required by 28 U.S.C. §3205. The defendant waives his right to a hearing

under said statute and any other process to which the defendant may be entitled under 28 U.S.C. §3205, and further waives his right to a hearing under said statute and any other process to which the defendant may be entitled under 28 U.S.C. §3001. et. seq.

5. The garnishee received service of the application for a writ of continuing garnishment on April 28, 2009, as required by 28 U.S.C. §3205 and filed an answer to the writ of garnishment on May 6, 2009. The Garnishee waives being heard in this matter and any other process to which the garnishee may be entitled under 28 U.S.C. §3001. et. seq.

6. The defendant agrees and stipulates that his wages are subject to garnishment under 28 U.S.C. §3205 and expressly agrees and stipulates that the entry of a Consent Order in Garnishment is proper.

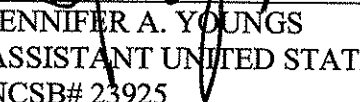
7. The parties agree and stipulate to the entry of a Consent Order of Continuing Garnishment against the non-exempt wages of the defendant. It is expressly agreed and stipulated to by the parties that the garnishee pay the plaintiff 12.5% per month of the defendant's wages and 100% of all 1099 payments and continue said payments until the debt to the plaintiff is paid in full or until the garnishee no longer has custody, possession or control of any property belonging to the defendant or until further Order of this court. *See* 15 U.S.C. 1673.

8. Payments should be made payable to the United States Clerk of Court and mailed to the United States Clerk of Court, 401 West Trade Street, Charlotte, NC 28202 and reference Case Number DNCW 3:04CR229-01 for prompt processing.

9. The parties agree and stipulate that the plaintiff will submit this debt to the Treasury for inclusion in the Treasury Offset Program. Under this program, any federal payment the defendant would normally receive may be offset and applied to this debt.


Respectfully submitted,

EDWARD A. RYAN
ACTING UNITED STATES ATTORNEY



JENNIFER A. YOUNGS
ASSISTANT UNITED STATES ATTORNEY
NCSB# 23925
227 West Trade Street, Suite 1650
Charlotte, NC 28202
(704) 344-6222
JYoungs@usdoj.gov

Agreed and Consented to:



Pete Anderson
Attorney for Thomas Edward Collieran, Defendant
Anderson Terpening, PLLC
409 East Boulevard
Charlotte, NC 28203
(704) 732-7370
Pa@HouseOfDefense.com

Hal F. Crownover
Executive Vice President & CFO
Rutland Plastic Technologies, Inc.
10021 Rodney Street
Pineville, NC 28134
Hcrownover@rutlandinc.com

Respectfully submitted,

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SO ORDERED, this the 13th day of April, 2010.



DAVID C. REESLER
U.S. MAGISTRATE JUDGE